

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TRACY LYNN COWAN,

Petitioner,

v.

Case No. 06-13846

CLARICE STOVALL,

Respondent.

ORDER CLARIFYING RESPONSE DEADLINE

On August 19, 2011, the court entered an order inviting Respondent to file an optional response addressing whether the petition should be stayed and held in abeyance while Petitioner exhausts her claim in state court in view of the recent decision of the United States Court of Appeals for the Sixth Circuit. On the same day, but after that order was entered, Petitioner filed a "Motion to Allow Petitioner to Return to State Courts Seeking Exhaustion of New Claims by way of Motion for Relief from Judgment Under MCR 6.500 and Hold Habeas Petition in Abeyance." As the motion presents the same issue as that advanced by the court's order and the opinion of the court of appeals, the court clarifies that any response, either to the court's order or to the motion, must be filed by **August 29, 2011**. In the absence of a response, the court intends to grant the motion, and to "stay and abey" the petition.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 23, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 23, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522